

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 1, 2, 7, 9, 10 and 14 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-15 are pending and under consideration. Reconsideration is respectfully requested.

OBJECTIONS TO THE DRAWINGS:

In the Office Action, at page 2, numbered paragraph 1, the drawings were objected to. FIG. 6 has been amended to include the reference sign 323, and a replacement figure for FIG. 6 has been submitted herewith. Therefore, the outstanding drawing objection should be resolved.

Reconsideration and withdrawal of the outstanding objections to the drawings are respectfully requested.

CHANGES TO THE SPECIFICATION:

The disclosure was objected to because of an informality. On page 9, line 11, "31" has been changed to recite ---351--- to place the specification in preferred and better U.S. form for issuance and to resolve the Examiner's objections raised in the Office Action. No new matter has been added.

CLAIM OBJECTIONS:

Claims 7 and 14 were objected to for informalities.

Claims 7 and 14 have been amended to correct informalities:

Since claim 1 has been amended to include "a heat pipe," claim 2 depends from claim 1, and claim 7 has been amended to depend from claim 2, "the heat pipe" and "the nip plate" have antecedent basis.

Claim 14 has been amended in accordance with the Examiner's suggestions.

Thus, withdrawal of the outstanding objections to the claims 7 and 14 is respectfully requested.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at pages 3-4, numbered paragraph 7, claims 1, 7 and 9 were rejected under 35 U.S.C. §102(b) as being anticipated by Foote et al. (USPN 6,339,211; hereafter, Foote). This rejection is traversed and reconsideration is requested.

Independent claim 1 has been amended to incorporate the feature “wherein the heating portion comprises a heat pipe, both ends of which are sealed and in which a predetermined amount of a working fluid is contained,” and independent claim 9 has been amended to incorporate the feature “and controlling a heat of the heating portion by: using a predetermined amount of a working fluid in a heat pipe of the heating portion to absorb heat.”

It is respectfully submitted that Foote does not teach or suggest the above feature of the amended independent claims 1 and 9, respectively. Thus, it is submitted that independent claims 1 and 9 are not anticipated under 35 U.S.C. §102(b) by Foote et al. (USPN 6,339,211). Since claim 7 depends from amended claim 1, claim 7 is submitted not to be anticipated under 35 U.S.C. §102(b) by Foote et al. (USPN 6,339,211) for at least the reasons that amended independent claims 1 and 9 are not anticipated under 35 U.S.C. §102(b) by Foote et al. (USPN 6,339,211).

REJECTION UNDER 35 U.S.C. §103:

A. In the Office Action, at page 4, numbered paragraphs 9-10, claims 5, 6 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Foote et al. (USPN 6,339,211; hereafter, Foote) in view of Okabayashi et al. (USPN 5,999,764; hereafter Okabayashi). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

As noted above, amended independent claim 1 recites the feature “wherein the heating portion comprises a heat pipe, both ends of which are sealed and in which a predetermined amount of a working fluid is contained,” and amended independent claim 9 recites the feature “and controlling a heat of the heating portion by: using a predetermined amount of a working fluid in a heat pipe of the heating portion to absorb heat,” which are not taught or suggested by Foote. It is respectfully submitted that Okabayashi also fails to teach or suggest the feature “wherein the heating portion comprises a heat pipe, both ends of which are sealed and in which a predetermined amount of a working fluid is contained,” or “and controlling a heat of the heating portion by: using a predetermined amount of a working fluid in a heat pipe of the heating portion to absorb heat,” as is recited in amended independent claims 1 and 9, respectively.

Thus, amended independent claims 1 and 9 are submitted to be non-obvious under 35 U.S.C. §103(a) over Foote et al. (USPN 6,339,211) in view of Okabayashi et al. (USPN 5,999,764). Since claims 5, 6 and 14 depend from amended claims 1 and 9, respectively, claims 5, 6 and 14 are submitted to be non-obvious under 35 U.S.C. §103(a) over Foote et al. (USPN 6,339,211) in view of Okabayashi et al. (USPN 5,999,764) for at least the reasons that amended claims 1 and 9 are submitted to be non-obvious under 35 U.S.C. §103(a) over Foote et al. (USPN 6,339,211) in view of Okabayashi et al. (USPN 5,999,764).

B. In the Office Action, at page 5, numbered paragraphs 11-12, claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Foote et al. (USPN 6,339,211) in view of Okabayashi et al. (USPN 5,999,764). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

As noted in **A** above, amended claim 1 is submitted to be non-obvious under 35 U.S.C. §103(a) over Foote et al. (USPN 6,339,211) in view of Okabayashi et al. (USPN 5,999,764). Since claim 8 depends from amended claim 1, claim 8 is respectfully submitted to be non-obvious under 35 U.S.C. §103(a) over Foote et al. (USPN 6,339,211) in view of Okabayashi et al. (USPN 5,999,764) for at least the reasons that amended claim 1 is submitted to be non-obvious under 35 U.S.C. §103(a) over Foote et al. (USPN 6,339,211) in view of Okabayashi et al. (USPN 5,999,764).

ALLOWABLE SUBJECT MATTER:

Claims 2-4, 10-13 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Independent claims 1 and 9 have been amended as noted above, and the corresponding features incorporated into amended claims 1 and 9, respectively, have been cancelled from claims 2 and 10, respectively. Thus, amended claims 1 and 9 are submitted to be in allowable form. Since claims 2-4, 10-13 and 15 depend from amended claims 1 and 9, claims 2-4, 10-13 and 15 are submitted to be in allowable form for at least the reasons that amended claims 1 and 9 are submitted to be in allowable form.

CONCLUSION:

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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AMENDMENTS TO THE DRAWINGS:

In the Office Action at item 1, the Examiner objected to the drawings. In order to overcome these objections, a replacement figure including the reference sign 323 for FIG. 6 is submitted herewith. Approval of this change to the Drawings is respectfully requested.